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on February 14, 2005

Gerard J. McGowan, Jr.
Reg. No. 29,412
Attorney for Applicant(s)

February 14, 2005
Date of Signature

PATENT

UNUS No.: 03-0347-UNI

Case No.: F3330(C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No: **000201**
Applicant: Malone et al.
Serial No.: 10/780,182
Filed: February 17, 2004
For: Frozen Aerated Product

Group: 1761
Examiner: Maureen C. Donovan
Englewood Cliffs, New Jersey 07632

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Applicants herewith submit an Information Disclosure Statement for the above-identified application.

Documents relating to the above-identified application are submitted herewith. These documents are intended for the Examiner's information and for citation with the instant case. This submission does not constitute either a representation that a thorough search has been made or an admission that the documents cited herein are properly citable against the above-captioned patent application. An attached PTO Form 1449 lists all the documents.

02/18/2005 AWONDAF1 00000007 121155 10780182

01 FC:1806 180.00 DA

European Search Report on Application No. 03 25 0976 dated July 22, 2003
European Search Report on Application No. 03 01 4059 dated September 18, 2003
European Search Report on Application No. 03 01 4060 dated January 15, 2004
German Search Report dated April 24, 2003
U.S. Patent No. 3,949,102 (Hellyer et al.)
U.S. Patent No. 4,244,977 (Kahn et al.)
U.S. Patent No. 4,346,120 (Morley et al.)
U.S. Patent No. 4,724,153 (Dulin et al.)
U.S. Patent No. 4,988,529 (Nakaya et al.)
U.S. Patent No. 6,558,729 (Riviere et al.)
U.S. Patent Application No. 2003/0003215 (Huang et al.)
U.S. Patent No. 5,020,698 (Crossley)
U.S. Patent No. 4,452,824 (Cole et al.)
WO 01/06865 A1
EP 1321043 A1
EP 0147483 A1
DE 20202557.8 (with translation of DE utility appn.)
GB 20 19 187 A
EP 09 19 134 2
WO 00.22936 A1
Operating Instructions: FRESH UP Ice Bandit; Nestle
Arbuckle; Ice Cream, 4th Ed.; 1986
Jackson, E.B., Howling, D.; Sugar Confectionery Manufacture: Glucose syrups and starch
hydrolysates, 2nd Ed., 1995
EP 17040
EP 293103
EP 68853
EP 346004
EP 288141
EP 672353
EP 382769
EP 941 668

U.S. Patent No. 4,145,454 (Dea et al.)
U.S. Patent No. 4,219,581 (Dea et al.)
U.S. Patent No. 4,376,791 (Holbrook et al.)
U.S. Patent No. 4,400,406 (Morley et al.)
U.S. Patent No. 4,478,862 (Greethead)
U.S. Patent No. 4,520,574 (Sugisawa et al.)
U.S. Patent No. 6,187,365 (Vaghela et al.)
U.S. Patent No. 6,511,694 (Huang et al.)
U.S. Patent Application No. 2002/0061355 (Martin, Jr. et al.)
GB 1519294
U.S. Patent No. 3,615,718 (Weinstein et al.)
U.S. Patent No. 3,677,443 (Smadar et al.)
U.S. Patent No. 4,110,476 (Rhodes)
U.S. Patent No. 4,542,035 (Huang et al.)
GB 1196286
GB 2304524
FR 2745153 (with Derwent abstract)
CH 511569 (with Derwent abstract)
U.S. Patent No. 4,427,701 (Morley)
U.S. Patent No. 4,452,823 (Ashton et al.)
U.S. Patent No. 6,162,789 (Lillford et al.)
WO 02/080693
EP 0 220 836
EP 0 995 685
EP 1 095 901
WO 97/30600

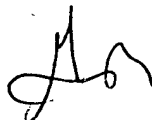
Under Applicants' Duty of Disclosure, the Examiner is informed of a related co-pending application as follows:

Applicant: Malone et al.
Serial No.: 10/323,303
Filed: December 19, 2002
FOR: Frozen Aerated Confection

Applicant: Campbell et al.
Serial No.: 10/442,765
Filed: May 21, 2003
FOR: Frozen Aerated Product in a Container

Since a first Office Action on the merits has already issued, please consider the information and charge the \$180.00 fee under 37 C.F.R. § 1.17(p) to Deposit Account No. 12-1155. Please charge any additional fees or credit overpayment to Deposit Account No. 12-1155. Triplicate copies of this letter are enclosed.

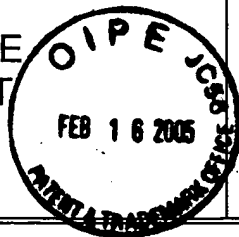
Respectfully submitted,



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FORM PTO-1449

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

ATTORNEY DOCKET NO.: F3330(C)

SERIAL NO.: 10/780,182

APPLICANT: Malone et al.

FILING DATE: February 17, 2004

GROUP: 1761

U.S. PATENT DOCUMENTS

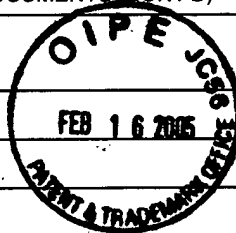
EXAMINER INITIALS		DOCUMENT NO.	DATE	NAME OF INVENTOR	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	3,949,102	4/76	Hellyer et al.			
	2	4,244,977	1/81	Kahn et al.			
	3	4,346,120	8/82	Morley et al.			
	4	4,724,153	2/88	Dulin et al.			
	5	4,988,529	1/91	Nakaya et al.			
	4	6,558,729	5/03	Riviere et al.			
	5	2003/0003215	1/03	Huang et al.			
	6	5,020,698	6/91	Crossley			
	7	4,452,824	6/84	Cole et al.			
	8	4,145,454	3/79	Dea et al.			
	9	4,219,581	8/80	Dea et al.			
	10	4,376,791	3/83	Holbrook et al.			
	11	4,400,406	8/83	Morley et al.			
	12	4,478,862	10/84	Greethead			
	13	4,520,574	6/84	Sugisawa et al.			
	14	6,187,365	2/01	Vaghela et al.			
	15	6,511,694	6/03	Huang et al.			
	16	2002/0061355	5/02	Martin, Jr. et al.			
	17	3,615,718	10/71	Weinstein et al.			
	18	3,677,443	7/72	Smadar et al.			
	19	4,110,476	8/78	Rhodes			
	20	4,542,035	9/85	Huang et al.			
	21	4,427,701	1/84	Morley			
	22	4,452,823	6/84	Ashton et al.			
	23	6,162,789	12/00	Lillford et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES OR NO
	24	01/06865 A1	2/01	WO			
	25	1321043 A1	6/03	Europe			
	26	0147483 A1	7/85	Europe			
	27	20202557.8	7/02	Germany (translation of DE utility appin)			

FOREIGN PATENT DOCUMENTS (CONT'D)

EXAMINER INITIALS		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES OR NO
	29	09 19 134 A2	4/99	Europe			
	30	00/22936 A1	4/00	WO			
	31	17040	3/83	Europe			No
	32	293 103	11/92	Europe			
	33	0068 853	1/83	Europe			
	34	346 004	11/95	Europe			
	35	288 141	10/88	Europe			
	36	672 353	8/98	Europe			
	37	382 769	9/94	Europe			
	38	941 668	9/99	Europe			
	39	1 519 294	7/78	Great Britain			
	40	1 196 286	6/70	Great Britain			
	41	2 304 524	3/97	Great Britain			
	41	2745153	8/97	France (with Derwent abstract)			
	42	511 569	10/71	Switzerland (with Derwent abstract)			
	43	02/080693	10/02	WO			
	44	0 220 836	5/87	Europe			
	45	0 995 685	4/00	Europe			
	46	1 095 901	5/01	Europe			
	47	97/30600	8/97	WO			



OTHER DOCUMENTS

48	Operating Instructions: FRESH UP Ice Bandit; Nestle
49	Arbuckle; Ice Cream, 4 th Ed.; 1986
50	Jackson, E.B., Howling, D.; Sugar Confectionery Manufacture: Glucose syrups and starch hydrolysates, 2 nd Ed.; 1995
51	European Search Report on Application No. 03 25 0976 dated July 22, 2003
52	European Search Report on Application No. 03 01 4059 dated September 18, 2003
53	European Search Report on Application No. 03 01 4060 dated January 15, 2004
54	German Search Report dated April 24, 2003
55	Co-pending application for Malone et al., Serial No. 10/323,303 dated December 19, 2002
56	Co-pending application for Campbell et al., Serial No. 10/442,765 dated May 21, 2003

EXAMINER	DATE CONSIDERED
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EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THOROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.